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10 *JOHN FORD EPPS*

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 2:16-CR-00291-GMN-PAL

JOHN FORD EPPS,

Defendant.

UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE

COMES NOW JOHN FORD EPPS by and through his attorney John G. George and hereby requests that this honorable court temporarily modify his conditions of release for the purpose of fulfilling a mandate by this Court. This unopposed motion is based on the attached memorandum of points and authorities, the papers and pleadings filed herein and any arguments permitted by the court at a hearing.

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MEMORANDUM OF POINTS AND AUTHORITIES

On September 30, 2016 a complaint was filed naming Defendant EPPS and co-defendants Johnny Tovar, and Marcus Richardson alleging violations of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), Conspiracy to Distribute Heroin. (ECF. No. 1) All defendants were required to avoid contact between themselves. Recently, the other defendants requested in unopposed motions that they be permitted to interact because they were very close before being charged. Those motions were granted.

On December 1, 2014, counsel for Defendant EPPS filed a motion to modify conditions of release. However prior to filing that Motion, counsel had not spoken with the prosecuting AUSA Robert Knief. Because of the urgency of this matter, counsel for Defendant EPPS spoke with AUSA Robert Knief on Wednesday the 14th of December to determine if he intended to oppose the Motion. Mr. Knief indicated that Defendant EPPS' Motion to Modify Conditions of release will be unopposed by the United States. Counsel for Defendant EPPS filed a supplement to the first Motion filed on December 1, 2016, however due to a discrepancy in the title, the Motion was rejected. Counsel now files this Unopposed Motion to Modify Conditions of Release.

Defendant EPPS is required by this Court to remedy an outstanding warrant in Los Angeles county for a charge that is many years old. However, Defendant EPPS is prohibited from leaving the State of Nevada. He needs to be able to travel to Los Angeles to fulfill the mandate of this Court that he remedy that warrant. He plans on addressing the matter in Los Angeles next Monday and Tuesday the 19th and 20th of December

Defendant EPPS also requests that this Court permit him to visit with his co-defendants. Counsel for Defendant EPPS also discussed this matter with AUSA Robert Knief and he also indicted that the United States would not oppose this.

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1 **CONCLUSION**

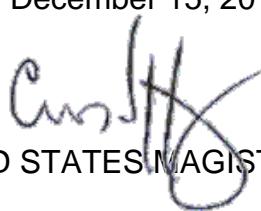
2 Because the United States does not intend to oppose this Motion, Defendant EPPS
3 respectfully requests that this honorable Court permit him to travel to Los Angeles and to visit
4 with his co-defendants.

5 DATED this 14th day of December, 2016.

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10 /s/ John George
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18 Attorney for Defendant
19 *John Ford Epps*

20 IT IS SO ORDERED. IT IS FURTHER ORDERED that
21 Defendant's Motion to Change Pre-Trial Conditions (ECF
22 No. 51) is DENIED as moot.

23 DATED: December 15, 2016

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25 UNITED STATES MAGISTRATE JUDGE

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2 **CERTIFICATE OF SERVICE**

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4 I hereby certify that on this 14th day of December 2016, I served a true and correct
5 copy of this Motion to Modify Conditions of Release addressed to the following party as follows:

6 via Electronic Service: mandatory electronic service (e-service), proof of e-service
7 attached to any copy filed with the Court; or

8 via facsimile transmission, proof of transmission attached to any copy filed with the
9 Court; or

10 via e-mail, proof of transmission attached to any copy filed with the Court; or

11 via U.S. Mail: By placing a true copy thereof enclosed in a sealed envelope with postage
12 thereon fully prepaid, addressed as indicated on the service list below in the United States
13 mail at Las Vegas, Nevada to the below address:

14 Robert Knief
15 Assistant United States Attorney
16 United States Attorney's Office
17 501 Las Vegas Blvd. South, Suite 1100
18 Las Vegas, Nevada 89101
19 (702) 388-6336

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29 */s/ John George*
30 An employee of
31 Law Office of John George